

# **Line No. 1903 Pipeline Conversion Project**

## *Guidelines for Handling Desert Tortoises During Construction*

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## **GUIDELINES FOR HANDLING DESERT TORTOISES DURING THE CONSTRUCTION OF EL PASO'S LINE NO. 1903 PIPELINE CONVERSION PROJECT**

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The Mojave population of the desert tortoise (*Gopherus (xerobates) agassizii*) is listed as a federally threatened species. Habitat exists within the Mojave Desert areas that are traversed by the right-of-way (ROW) in La Paz County in Arizona and Riverside, San Bernardino, and Kern counties in California.

El Paso Natural Gas Company (El Paso) has committed to measures to minimize possible adverse effects to the Mojave population of the desert tortoise. These mitigation procedures are detailed below. They include guidelines for preventative precautions, as well as guidelines for processing tortoises when discovered within construction locations. Preventative precautionary procedures include performing daily pre-construction clearance surveys, employee awareness training, strict vehicle speed limit, trash management, prohibition of firearms and pets, and management of open pits and trenches with fencing or covers.

The desert tortoise occurs over large areas of the Mojave Desert. They occur in desert scrub and desert washed where soils are friable for burrowing. It is known to occur from MP 40, near the town of Tehachapi to MP 303.5. The pipeline appears to lie within the Fremont-Kramer Unit of Critical Habitat for the desert tortoise between MP 84 and MP 109 in the vicinity of Edwards Air Force Base. The existing pipeline between Daggett and Ehrenberg does not traverse any critical habitat unit designated for the desert tortoise, although it lies adjacent to the Chemuehevi Critical Habitat Unit near Danby Lake.

Although no tortoise burrows or other sign were observed by field biologists during surveys conducted in 2000 and early 2001 within the proposed construction locations, desert tortoises could be using the construction locations if they have burrows up to approximately 0.5 mile away. Additionally, it is possible that new burrows have been excavated since field surveys were complete. For these reasons, the proposed mitigation procedures also offer guidance for excavating burrows and handling tortoise found in burrows.

The following measures will be instituted by El Paso in order to reduce potential adverse effects to the desert tortoise.

### **DESERT TORTOISE MITIGATION MEASURES APPLICABLE TO ALL CONSTRUCTION LOCATIONS**

- Desert tortoise dens will be flagged and avoided by all vehicles and equipment. Flagging will be conducted no more than 14 days prior to construction. The size of the avoidance area varies by species and type of sensitive feature present.
- Project-related vehicles will stay on roads and observe a 20-mile-per-hour speed limit (day and night) in all project areas, except on county roads and state and federal highways.

- Project-related vehicles will be checked before moving for all potentially affected species of wildlife. Desert tortoise may seek shade and shelter under parked vehicles and construction equipment.
- All construction pipes, culverts, or similar structures that are stored at a construction site for one or more nights will be inspected throughout the construction day and before the pipe is used or moved. If wildlife is present, they will be allowed to exit on their own or will be moved out of harm's way.
- During project activities, vehicle parking and material stockpiles will be located in existing disturbed areas along the pipeline ROW.
- All food-related trash items such as, food wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed daily from the construction site.
- No firearms, air guns, or archery equipment will be allowed on the project sites.
- No pets will be permitted on project sites.
- Construction staff will adhere to the Fire Prevention and Suppression Plan (Appendix C).
- Fueling of vehicles and equipment will be prohibited within 100 feet of a riparian area.
- All toxic substances (e.g., oil, gas, anti-freeze) will be stored in closed containers at all times. Accidental spills will be cleaned up immediately according to its Spill Prevention, Control, and Countermeasure Plan (Appendix D).
- El Paso will prepare a Spill Prevention, Containment, and Countermeasure Plan (Appendix D) that addresses the handling of hazardous materials on and near construction sites.
- Temporary erosion control will be installed where necessary immediately after initial disturbance of the soil. Temporary erosion controls will be properly maintained throughout construction on a daily basis. Temporary slope breakers may include materials such as soil, silt fence, staked hay or straw bales, or sand bags.
- Temporary sediment barriers will be installed at appropriate locations to prevent siltation into waterbodies or wetlands.
- All areas subject to temporary ground disturbance, including storage and staging areas, will be restored to the original contours, and revegetated following construction.
- An employee education program will be conducted for the Line No. 1903 Conversion Project. This program will provide biological information on the desert tortoise. It will present information about the legal protection of these species and answer questions about

their status. The program also will include review of the measures being taken to reduce impacts to the species during construction.

- To prevent entrapment of wildlife during construction, all open pits and trenches will be monitored throughout the construction day.
- Excavated steep-walled pits or trenches more than 2 feet deep will be covered at the close of each day or provided with one or more escape ramps. Alternatively, fencing can be erected around open pits or trenches. At the beginning of the construction day and before pits or trenches are filled, they will be inspected for trapped animals. If any animals are found, they will be moved out of harm's way.
- No rodenticides will be used on project sites.
- Encounters with a protected species will be reported to the Environmental Inspectors and authorized biologist. An authorized biologist will maintain records of all these encounters during the project, the species condition, location found, and location released. The authorized biologist may move desert tortoise animals according to established protocols.
- Any contractor or employee who inadvertently kills or injures a desert tortoise will immediately report the incident to the CI and/or the EI. Arizona Game and Fish Department or the California Department of Fish and Game (CDFG) will be contacted in the case of a dead, injured, or entrapped desert tortoise.
- El Paso will designate a field contact representative (FCR) who will be responsible for overseeing compliance with protections for listed species. The FCR will be on site during all project activities. The FCR will have the authority to halt activities that are in violation of the committed measures. The FCR also shall halt non-emergency project activity that may endanger a listed species. The FCR would authorize work resumption only after the hazards are removed, the species is no longer at risk, or the individual is moved out of harm's way by an authorized biologist.

#### **DESERT TORTOISE MITIGATION MEASURES APPLICABLE TO LOCATIONS WITHIN DESERT TORTOISE HABITAT**

- All tortoise burrows will be avoided. Should it be necessary to excavate a desert tortoise from its burrow to move it out of harm's way, excavation will be done with hand tools, either by or under the direct supervision of an authorized biologist. Excavation shall occur no more than 7 days before the onset of construction.
- Desert tortoises removed from burrows will be placed in an unoccupied burrow of approximately the same size as the one from which it was removed. If an existing burrow is not available, the authorized biologist will construct one.
- Desert tortoises moved during inactive periods will be monitored for at least 2 days after relocation or the end of construction.

- If desert tortoises need to be moved at a time of day when ambient temperatures could harm them (less than 40 degrees and over 90 degrees Fahrenheit), they will be held overnight in a clean cardboard box. They should be released the following day during more favorable temperatures. Boxes will be used only once.
- All handling of desert tortoises will be performed consistent with the *Guidelines for Handling Desert Tortoises During Construction Projects* (Desert Tortoise Council 1994). Field Survey Protocol for any Federal Action that may occur within the range of the desert tortoise (USFWS 1999) also will be followed.

## REFERENCES

Averill-Murray, Roy C. (editor). 2000. Status of the Sonoran Population of the Desert Tortoise in Arizona: An Update Arizona Game and Fish Department Nongame Branch, Arizona Interagency Desert Tortoise Team. June 2000 DRAFT.

Desert Tortoise Council. 1994 (1999 revised). *Guidelines for Handling Desert Tortoises During Construction Projects*. Edward L. La Rue, Jr. editor. Wrightwood, California.